

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARIA SIGALA, et al.,)	Case No.: 1:22-cv-00106-DAD-BAK (EPG)
)	
Plaintiffs,)	ORDER DIRECTING PLAINTIFF TO FILE A
)	MOTION FOR APPOINTMENT OF A
v.)	GUARDIAN AD LITEM
)	
CITY OF MCFARLAND, et al.,)	
)	
Defendants.)	
)	

In the complaint filed in this action, Maria Sigala indicated that she would be proceeding as H.L.'s guardian ad litem in this action. (*See* Doc. 2 at 1-3.) Pursuant to Local Rule 202,

Upon commencement of an action or upon initial appearance in defense of an action by or on behalf of a minor or incompetent person, the attorney representing the minor or incompetent person shall present (1) appropriate evidence of the appointment of a representative for the minor or incompetent person under state law or (2) a motion for the appointment of a guardian ad litem by the Court, or, (3) a showing satisfactory to the Court that no such appointment is necessary to ensure adequate representation of the minor or incompetent person.

Id. (citing Fed. R. Civ. P. 17(c)).

The Court's review of the docket reveals plaintiff has not requested appointment of a guardian ad litem, there is no evidence identified of the formal appointment of a representative for the minor child, and there is no allegation in the complaint that such an appointment is not necessary. Because the claims of H.L. may only be brought "by a next friend or by a guardian ad litem," a guardian must be appointed to protect his interests. *See* Fed. R. Civ. P. 17(c)(2).

1 Accordingly, the Court **ORDERS**: Plaintiff **SHALL** file a motion for the appointment of Maria
2 Sigala as the guardian ad litem **no later than June 13, 2022.**

3
4 IT IS SO ORDERED.

5 Dated: **May 13, 2022**

6 /s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE